

MINUTES OF REGULAR MEETING AND YEAR END MEETING OF THE TOWN BOARD OF THE TOWN OF HUNTER HELD ON WEDNESDAY, DECEMBER 28, 2016 AT 6PM AT THE TOWN HALL LOCATED ON RTE. 23A IN TANNERSVILLE, NEW YORK.

Present: Daryl Legg Supervisor  
 Anthony Coiro Councilman  
 David Kukle(arriv. 6:15) Councilman  
 Raymond Legg Councilman  
 Dolph Semenza Councilman  
 Lara Hamrah-Poladian Secretary to the Supervisor

Others Present: See attached listing.  
 Absent: Larry Gardner Town Attorney  
 Corina Pascucci Town Clerk

Supervisor Legg calls the Meeting to order at 6:00 PM with the Pledge of Allegiance to the Flag.

#### AUDIT

The following vouchers were audited and approved for payment by the Town Board:

General Fund (TW) Voucher #421 through #479 in the amount of \$27,173.74

General Fund (TOS) Voucher #1055 through #1064 in the amount of \$430.45

Highway Fund (TW) Voucher #206 through Voucher #235 in the amount of \$19,141.70

Highway Fund (TOS) Voucher #1098 through #1102 in the amount of \$34,001.42

Landfill Closure Fund Voucher #106 through #116 in the amount of \$22,082.43

#### PRIVILEGE OF THE FLOOR

R. Silver discusses Platte Clove/Antonio's and it being a low density area.

R. France asks the Board their position on a permanent license.

#### MINUTES

Supervisor Legg makes a MOTION to approve minutes of Regular Meeting of November 15, 2016. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

POLICE -Monthly report acknowledged.

Sgt. Haines informs the board that the new police car has been delivered and is in service.

Discussion on hiring a company to collect unpaid tickets. Sgt. Haines to send a letter to the Town Board and the Court regarding raising parking fines to \$100.

Sgt. Haines would like to purchase a program that allows his department to look up phone numbers and information on people. The cost is \$150 per month for unlimited access or 25 cents per transaction.

Supervisor Legg makes a MOTION to authorize the Police Department to use this service on a per transaction basis. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

Sgt. Haines states that Suffolk County donated an AED to their department several years ago and it just stopped working. Discussion on buying a new one, suggestions of buying two and leaving one in the Town Hall.

ASSESSOR- Monthly report acknowledged.

AMBULANCE- Monthly report acknowledged.

Discussion on phone line issue in ambulance building, underground line is not working. Discussion on running a new line to the ambulance building. G. Morrison to speak with John Farrell.

Supervisor Legg makes a MOTION to sign contract with MEDEX for a fee \$33.50 per claim. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

BUILDING- Monthly report acknowledged.

PLANNING-Monthly report acknowledged.

**Town of Hunter Planning Board  
Monthly Report  
DECEMBER 2016**

**UPDATES:**

**Saratoga County Planning & Zoning Conf.** January 25<sup>th</sup>, 2017. Request to attend full day training in Saratoga.

**NYPF 2017 Conference:** March 26 – March 28, 2017 – Request to attend yearly conference.

**Haines Falls Auto (HFA):** The Public Hearing for Haines Falls Auto remains open.

Planning Board has voted unanimously to retain the services of Barton & Loguidice Engineering to assist in the review of the HFA Site Plan and SEQR Lead Agent review of the Site plan and NYS DEC C & D Processing permit. Two (2) contracts have been provided for the Boards review. Upon agreement of the Town Board, an Escrow Account will be established in the amount of \$5,000.00 for the initial review. The applicant will have until January 10<sup>th</sup>, 2017 to submit fee.

In regard to the Junkyard and Scrap processing permits it is at Town Boards discretion to extend these permits until the January 17<sup>th</sup>, 2017 meeting with the condition that the escrow account has been established and the Escrow agreement for reimbursement of professional services contract has been signed by all parties. In accordance with the agreement it should be noted that if the escrow account is depleted to or less than 30% of the initial amount ( \$1,500.00 ) the applicant will have 10 business days after notice is given to replenish the account.

**Comprehensive Plan:** Discussion on moving forward with Comprehensive Plan update. Board members have information packet from Nan Stolzenburg of Community Planning & Environmental Associates detailing the scope and budget of services.

**MOTION:** needed to form Comprehensive Plan Committee.

**Greene County Planning representative:** Doug Senterman has submitted a letter of interest in becoming the Town of Hunter representative.

-----AGENDA-----

***Meeting: Tuesday, December 6<sup>th</sup>, 2016 ~ Regular meeting at 7:00PM***

S. Killourhy - Chairman  
M. Czermerys – Deputy Chairman  
S. Friedman  
S. Schneider -**absent**  
J. Michaud-Uhrik  
C. Knopp  
A. Dale

R. Haines - alt  
D. Senterman – alt

19 members of the public were present.

**PUBLIC HEARINGS: NYS/ SUNY Mesonet Installation  
Catskill Church Communities Site Plan  
Haines Falls Auto Site Plan- open**

**Welcome new Alternate Members Robert Haines and Douglas Senterman.  
Two (2) executive Sessions were held during the meeting to discuss proposed, pending or current litigation.**

**OLD BUSINESS:**

**1) NYS/ SUNY Mesonet Installation Site Plan; SEQR and Final review:** Haines Falls –Dr. Jerry Brotzge and Chrissy D from SUNY Albany and Pyramid Network Services. Installation of 33’ weather station at the terminus of Gillespie Rd on the lands of the NYC DEP. The Board ackn rcv’d revised plan of 33’ weather station and revised Full EAF and letter from Dr. Jerry Brotzge stating Mesonet formally has withdrawn the application for placing a 100’ tower and a 100’ tower will never be considered in the Town of Hunter. Public hearing was held. S. Killourhy states a Greene County 239 review was not necessary. The Board completes SEQR: giving the action a Negative declaration. Application APPROVED.

**2) Catskill Church Communities Site Plan; SEQR and Final review:** Platte Clove – M. Loewenthal presents presents the relocation of a greenhouse and additional shed/greenhouse to be located away from the dwellings and close to the garden fields on the southwest area of the parcel. Ackn rcv’d Greene County 239 review response of local decision. Board completes SEQR granting a negative declaration on the action. APPROVED

**3) Haines Falls Auto Site Plan & NYS DEC C&D Processing application:** Haines Falls –R. France presenting. Public hearing remains open; continued to January 2017 meeting.

-Ackn rcv’d 11/28/16 R. France marked site plan for parking  
- incomplete – see attached information for status.

**4) Primax Properties 2-lot Subdivision & Dollar General Site Plan:** Tannersville- L. Marshall of Mercurio-Norton-Tarolli-Marshall Engineering (MNTM) presents submitted Stone examples that were emailed to the Board.

**NEW BUSINESS:**

**5) Hunter Suites Site Plan; Sketch Plan:** Platte Clove – D. Elsom of Kaaterskill Assoc. presents sketch plan concept (submitted on 11/29/16) for a 2 story building: 11,000 sq. ft per floor, 13 unit building at the corner of Dale lane and Corfu Rd. The building would have 12 – 3 bedroom units and 1- 4 bedroom unit, a common kitchen area, a common worship space and common laundry. The plan would have 1 well and 2 septic areas and 2 reserve areas. The parking would accommodate 22 cars. S. Killourhy requests that the applicant formally withdraw the application for Williamsburg, so that this new application can be based on its own merits as a separate application. D. Elsom will request from his clients. D. Elsom requests the Board make a determination on the proposed density of the sketch plan presented with a potential occupancy of 120+/- people. S. Killourhy states the Board will review and discuss at the next meeting.

**CORRESPONDENCE:**

**Deer Mtn Inn & Cabins Site Plan:** Haines Falls: SEQR coordinated review for Type I action continues. The Board acknowledges the following:

-Ackn rcv’d revised site plan

- Ackn rcv'd ltr from D. Rider 11/21/16 re: Response to DEP ltr of 11/16/16
- Ackn rcv'd email/ltr from DEP 11/30/16 and response from D. Rider PE

*~ The next Planning Board meeting is on Tuesday January 10, 2017 at 7PM here at the Town Hall~*

Acknowledged proposal from N. Stolzenburg re: Comprehensive Plan

Councilman Kukle makes a MOTION to move forward with Nan Stolzenburg relationship. Seconded by Councilman Coiro.

Ayes-5-                      Noes-0-

Councilman Coiro makes a MOTION to create a Comprehensive Plan Committte. Seconded by Councilman Kukle.

Ayes-5-                      Noes-0-

First meeting to be in February 2017.

Supervisor Legg makes a MOTION to authorize Sarah Killourhy to attend a full day Planning Federation Conference on 1/25/17 and the March Planning Federation Conference. Seconded by Councilman Coiro.

Ayes-5-                      Noes-0-

Rory France states that the new building on the south side is completely dependent on his question to the Town Board as to what the Town Board does with the Scrap Law, are they ready to issue a variance or amend the scrap law to where he can have more licenses. He also questions if the Town Board would issue a permanent junkyard license.

Councilman Semenza makes a MOTION to grant Rory France a variance so he can move forward with his project with whatever the planning board wants. Seconded by Councilman Legg.

Ayes-unknown, no roll call vote heard-                      Noes-1-(Supervisor Legg)

Discussion

**MOTION DID NOT CARRY**

Councilman Kukle states that the need for an engineer is regardless of the C & D is what he is hearing so he is not sure what they are withdrawing from.

Rory France states that he doesn't want to put \$5,000 in escrow and have this board by the end of the Planning Board approval say that they won't issue a variance, so he would pull the whole project and go back to the original pattern of when he got site plan approval for the scale and that would be it until he would know that he would have board approval once the project is approved by the Planning Board. He adds that for him, the whole project is the continuation of the C & D business that was taken away from him with the Scrap Law which is 25% of his business.

S. Killourhy states that he was illegal in the eyes of NYSDEC.

R. France states he was not illegal in the eyes of the Town.

S. Killourhy reads from Town law, she states there is no variance within the law, it would be a waiver.

Councilman Legg feels that it is black and white, if he complies, is the Town Board willing to give a waiver. He adds that Councilman Semenza made a motion to give him a waiver and he seconded it. He adds that the question on the table is if he complies, is the Town Board willing to give him a waiver.

Councilman Kukle states that he would like to see a business plan with hours and such.

Councilman Semenza makes a MOTION to table this and leave open the issue of a waiver for Haines Falls Auto to consult with counsel. Seconded by Councilman Coiro.

Ayes-5-                      Noes-0-

Councilman Semenza makes a MOTION to extend the Junkyard License for Rory France until January 17, 2017. Seconded by Councilman Legg.

Ayes-5-

Noes-0-

S. Killourhy states that the January 10<sup>th</sup> date for the escrow is tabled until the Town Board comes to a conclusion. She adds that his application will be on stay with the Planning Board.

#### LOCAL LAWS

Local Law #9 regarding Timber Harvesting in the Town of Hunter.

S. Killourhy states that the version that went to the County, before the public at the Public Hearing and on the website was the correct version. The day after the meeting the lawyer's office forwarded an incorrect copy to the Town Clerk therefore the incorrect version was filed with the Secretary of State. She adds that the Site Plan should be cleaned as well.

S. Mahoney asks what the Town Board has to do about this.

Unknown speaker states it has already been done by George Rodenhausen.

#### LANDFILL/DEC

Acknowledged receipt of request for 2 week extension sent to DEC from K. Young

Acknowledged receipt of report from Rennia & comments to DEC from K. Young

Councilman Semenza makes a MOTION to authorize Supervisor to sign NetDMR Subscriber Agreement.

Seconded by Councilman Coiro.

Ayes-5-

Noes-0-

#### LANDFILL/LOGGING

Councilman Kukle makes a MOTION to waive timber harvest permit fee for the Town. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

#### SOLAR

Acknowledged receipt of letter of intent on solar easement/lease

Discussion on agreement between Town of Hunter and Solitude Development, LLC. Board to contact IDA regarding extending 3 phase service. L. Gardner to review the contract.

#### POLICE – SURPLUS

Supervisor Legg makes a MOTION to surplus the 2008 Crown Vic with a minimum bid of \$750.00. Seconded by Councilman Coiro.

Ayes-5-

Noes-0-

#### NYC DEP

Acknowledged receipt of land acquisition chart

Acknowledged receipt of CEQR No. 17DEP012U - Parts I & II of EAF for FAD

#### MTN JAM/TOC

Acknowledged receipt of correspondence with M. LaRose re:2017 ambulance options.

#### WESTKILL BREWING

Acknowledged receipt of permits/notice of completed application from DEC.

#### FIRE PROTECTION CONTRACT

Discussion on proposed contract received from Mayor McGunnigle (35/65%)

L. Hamrah-Poladian states that Larry Gardner produces these contracts.

**GRANTS**

Acknowledged receipt of letters from NYS Homes & Comm. Renewal 1year Completion notice and Notice of Annual progress report due 1/10/17 for Housing renewal grant

Acknowledged letter sent to L. Schultz from K. Kiley @Western Catskills

Supervisor Legg states that S. Manascalco wishes to address the board privately, he has been invited to next month's meeting.

Councilman Semenza makes a MOTION to authorize signature on response to S. Manascalco . Seconded by Councilman Coiro.

Ayes-5-

Noes-0-

**ANNEXATION**

Acknowledged receipt of fully executed Order for S. Botti. Tax Map#: 164.00-2-21.1

**GREENE COUNTY**

Councilman Semenza makes a MOTION to authorize D. Senterman as representative for GC Planning. Seconded by Councilman Coiro.

Ayes-5-

Noes-0-

Acknowledged receipt of resolution #240.16, # 322-16, # 342-16 and # 354-16

**GREENE COUNTY SOIL & WATER**

Acknowledged flood buyout corresp.

Acknowledged receipt of letter of approval for Flood Analysis of Schoharie Corridor

**KAATERSKILL RAIL TRAIL**

Councilman Coiro makes a MOTION to authorize signature for Land Use Permit on DEP property. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

JUSTICE COURT -Monthly report acknowledged.

**TOWN HALL**

Discussion on date: organizational meeting Tues 3<sup>rd</sup>, Wed 4<sup>th</sup>... at 6:00pm

Tentatively set for 1/4/17 at 6PM.

**DOG CONTROL**

Acknowledged receipt of 2016 Dog Control Report

**MSMA**

Acknowledged receipt of minutes for 9/26/17 and 10/24/17 meetings

**CWT**

Acknowledged receipt of minutes for 10/17/16 and CWC Resolutions #'s 2967 -2978, 2982-2987

**COLUMBIA-GREENE SPCA**

Councilman Coiro makes a MOTION to authorize signature on contract with SPCA. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

**RECORDS MANAGEMENT**

Acknowledged receipt of letter of appreciation from Town Clerk to Highway Dept. assistance.

**BUILDINGS AND GROUNDS**

Councilman Legg states that things are going well across the parking lot.

**CORRESPONDENCE-Board acknowledged the following.**

Letter from Peter ? on Byrne Road regarding purchase of property next to his by NYCDEP, regarding no public access.

Receipt of Kaaterskill Clove Working Group Agenda from 12/14

Request for speed reduction in Haines Falls and between Tannersville and Hunter

Receipt of letter from Dept. of Public Service winter outreach and education campaign

Receipt of letter from M. Osterer

Receipt of letter of intent from R.Cantu Re: Filming by 495 Productions and MTV. Board to send something in writing that they are aware of the project.

Proclamation rec'd School choice week

Supervisor Legg reads thank you letters from the Town's Holiday dinner.

**TRANSFERS/BUDGET MODIFICATIONS**

Councilman Kukle makes a MOTION to approve the following;

1.Eff 9/22/16 Budget Mod to incr A5710 &A3120.2 by \$34,930 to show Police Car Bond proceeds & expense.

2.Eff. 10/31/16 Budget Jrl. to transfer \$156.16 from A6989.4 to A7510.;4 to cover Historian over expenditures

3.Eff. 11/1/16 Budget mod to incr B8020.41 & B2770 to show revenue & expense Re: Stenographer/Primax

4.Eff. 11/1/16 Budget Mod to transfer \$94.20 from A9060.8 to A1420.4 to cover Attorney expenditures

Seconded by Councilman Legg.

Ayes-5-

Noes-0-

**AMBULANCE**

Supervisor Legg states that one of the ambulances has been sold and delivered.

**MACHNE TASHBAR**

Discussion on monitoring. Councilman Kukle states that there are members of the community who are interested in this data. Supervisor Legg states that L. Gardner informed him that this data would not be available to the public. L. Hamrah-Poladian has been advised that the Town's DMR information is accessible online, this may be because we are a municipality.

R. Silver states that they want to know the information on a daily basis. He states that he has foiled this information but they aren't real time, they are a month behind.

Discussion on figuring out a way to get this information on a daily basis.

**EXECUTIVE SESSION**

Supervisor Legg makes a MOTION to go into Executive Session at 8:26 PM to discuss the employment of a particular person. Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

Councilman Kukle makes a MOTION to come out of Executive Session . Seconded by Councilman Semenza.

Ayes-5-

Noes-0-

**NEW HIRE**

Councilman Semenza makes a MOTION to hire Brandon Pforte as an Ambulance Driver. Seconded by Councilman Coiro.

Ayes-5-

Noes-0-

Councilman Legg makes a MOTION to adjourn at 8:28 PM. Seconded by Councilman Kukle.

Ayes-5-

Noes-0-

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Corina Pascucci, Town Clerk, RMC  
Town of Hunter